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MAY 14 1957

Mr. J. Walter Yeagley
Chairman, Interdepartmental Committee
on Internal Security
Department of Justice
Washington 25, D. C.

Dear Mr. Yeagley:

Thank you for your letter of 26 April 1957 and accompanying report which has been given careful study.

There are a number of practical problems which would arise in this Agency in carrying out the provisions of the proposed new directive. Paragraph B.1.(d) sets forth certain stipulations which a recipient government must agree to before classified defense information may be released; as defined this would include CIA-produced intelligence information. With respect to the first stipulation, it is conceivable that for operational reasons and in the national security interest, this Agency might pass information with the express hope and expectation that the recipient government would release it further and without our approval. Regarding the second stipulation, this Agency might release operational information which we know will not receive substantially the same degree of protection as afforded by the U. S. The third stipulation would prevent us from releasing information for an ostensible purpose when it is expected and hoped that the recipient government will use the information for other than the purpose given. With respect to the fourth stipulation, it is conceivable that in the field of psychological warfare there could be a release that would be in technical violation of this requirement.

Under paragraph D, "Security Assurance" is required of a foreign government as concerns original recipients. In paragraph A.4., original recipients are defined not only as individuals but also as collective groups. It is believed this requirement could result in an awkward and embarrassing position for this Government. Such a position might arise when a foreign government has certified the security clearances of its working level representatives for informal, impromptu talks or discussions. If such

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Mr. J. Walter Yeagley, Chairman, ICIS, Wash., 25, D. C.

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discussions could not be conveniently postponed, the U. S. representative would be in a position of having to insist upon a postponement until U. S. security checks were made. Of further interest to this Agency in connection with the procuring of "Security Assurances", is the requirement that the foreign representative will submit biographic data. It could be expected that a foreign government in its turn would request the submission of similar data. This Agency is not prepared to release such data on its personnel.

In the foreword to the proposed new directive, it is noted that subsection 5 (i) of EO 10501 is applicable to the furnishing of classified information to foreign governments. This sub-section requires that classified defense information bear the so-called Espionage laws warning statement when released outside the Executive Branch. In some instances this Agency might release information in which it was important that no attribution be made to U. S. origin.

In the field of intelligence exchanges and operational releases, it is believed that responsibility must repose with the Head of the Intelligence Organization concerned. In this connection, a careful weighing of factors and a considered judgment with respect to net advantage should be the criterion.

Sincerely,

Signed

L. K. White
Deputy Director

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CONCUR:

Concurred in substance. This is a shorter draft.

[Redacted]
Director of Security

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